

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

RESOLUTION NO. 70-61

REISSUING CEASE AND DESIST ORDER, RESOLUTION NO. 68-15 WITH  
AMENDMENTS FOR THE CITY OF MOUNTAIN VIEW, SANTA CLARA COUNTY

WHEREAS THIS REGIONAL BOARD HAS CONSIDERED

INFORMATION ABOUT THIS DISCHARGE

1. This Regional Board prescribed requirements for waste discharge by the City of Mountain View, called the discharger below, in Resolution No. 67-70, adopted December 21, 1967. On April 30, 1968 this Board adopted Resolution No. 68-15, an order to cease and desist from violations of requirements. The time schedule in this order was revised by Resolution No. 68-73 adopted December 18, 1968.
2. A report submitted by the Chief Utilities Engineer of Palo Alto, dated February 26, 1970 informed this Board that plans and specifications for joint facilities with the Cities of Mountain View and Los Altos had been completed and construction contracts had been awarded. A nine-month extension was requested for the remaining dates specified in Resolution No. 68-73.
3. At this Board's June 25, 1970 meeting, the City of Mountain View reported that immediate corrective measures will be installed and the amounts of BOD, suspended solids and grease in the waste discharge will not be increased beyond the quantities presently being discharged.
4. This Board did conduct a hearing for consideration of issuance of a cease and desist order at its meeting on June 9, 1970 after due notice to the discharger; did consider the staff report relative to the case; and did hear all interested parties present and desiring to be heard.
5. It is this Regional Board's intent with this Resolution to amend and reissue Resolution No. 68-15 to make the code references consistent with the California Water Code.
6. The discharger was served by certified mail with a notice that this Board would consider issuance of a cease and desist order under provisions of Section 13301 of the California Water Code at a meeting duly held on July 23, 1970.
7. This Board did, at its meeting on July 23, 1970, review the staff report to the Board relative to this case, did consider reissuance and amending of a cease and desist order and heard all interested parties present and desiring to be heard.

REGIONAL BOARD FINDINGS

1. This Board accepts the aforementioned staff report as evidence and finds that the City of Mountain View is discharging wastes from its sewage treatment plant which do not comply with requirements prescribed by this Board in its Resolution No. 67-70. The City of Mountain View is violating the following requirements:

A. The discharge shall not cause:

- (1) The presence of floating, suspended or deposited macroscopic particulate material, foam, oil or grease of waste origin in waters of the State at any place
- (2) Significant discoloration or increased turbidity beyond present natural background levels in waters of the State any place beyond fifty feet from the existing point of discharge
- (3) Atmospheric odors recognizable as being of waste origin at any place outside of the property on which sewage treatment facilities are located

B. The quality of the waste shall be maintained within the following limits at all times:

- (1) Any 24-hour composite sample made up of portions collected at hourly intervals in proportion to the rate of flow at the time of collection:

- a. 5-day, 20° C BOD: The BOD removal from the waste during any 21 or more days shall be:

(1) Average	90 percent, minimum
-------------	---------------------

(2) Not more than two consecutive daily determinations shall indicate BOD removals less than	80 percent, minimum
--	---------------------

b. ... ..	... ..
-----------	--------

- c. Toxicity: survival of test fishes in 96-hour bioassays of the undiluted waste:

(1) Any sample	75 percent, minimum
----------------	---------------------

(2) The average of any three or more such consecutive samples collected during any 21 or more days	90 percent, minimum
--	---------------------

(2) Any grab sample:

a. Settleable matter

(1) The arithmetic average  
of any 6 or more samples  
collected on any day 0.5 ml/l/hr., maximum

(2) 80% of all individual  
samples collected during  
maximum daily flow over  
any 30-day period 0.4 ml/l/hr., maximum

(3) Any sample 1.0 ml/l/hr., maximum

b. ... ..

c. Bacterial quality below those limits prescribed in Section  
7958, Title 17 of the California Administrative Code;

2. New connections to this sewerage system would intensify existing degradation of the receiving waters and extend the affected area causing further restriction of pleasure boating, fishing and hunting and more harm to fish and wildlife propagation and sustenance. The effects from the intensification of the degradation and extension of the affected area will further unreasonably impair water quality.
3. A restriction on additional connections to the City's sewerage system is not warranted at this time since the City has immediate corrective measures under construction which are to be completed by August 15, 1970, are intended to prevent the pollution loading from increasing during the remainder of the construction period and are intended to prevent further unreasonable impairment of water quality.

IT IS HEREBY ORDERED BY THE REGIONAL BOARD

1. The City of Mountain View is hereby ordered to cease and desist discharging waste from its sewage treatment plant in violation of requirements prescribed in Resolution No. 67-70 pursuant to the following time schedule:
  - A. Demonstrate compliance with disinfection requirements on or before August 15, 1970
  - B. Completion of construction and placing of all treatment plant units in service November 30, 1971
  - C. Demonstrate compliance with applicable requirements, or document the specific requirements which are still being violated June 1, 1972

2. The City is required to file written reports with this Regional Board pursuant to Section 13267 of the California Water Code as follows:

September 1, 1970  
October 15, 1970  
May 15, 1971  
December 15, 1971  
February 15, 1972  
June 15, 1972,

each report is to describe the status of construction.

3. Upon failure by the City of Mountain View to comply with this order, the Executive Officer is authorized and directed to request the Attorney General to petition the Superior Court for proper legal relief restraining the City from continuing the discharge of wastes in violation of this order and to seek civil monetary remedies pursuant to Section 13350 California Water Code.

WILLIAM C. WEBER  
Chairman

July 23, 1970

I, Fred H. Dierker, hereby certify that the foregoing is a true and correct copy of Resolution No. 70-61 adopted by the California Regional Water Quality Control Board, San Francisco Bay Region at its regular meeting on July 23, 1970.

FRED H. DIERKER  
Executive Officer  
CALIFORNIA REGIONAL WATER QUALITY CONTROL  
BOARD - SAN FRANCISCO BAY REGION